

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

UNITED STATES OF AMERICA

v.

DAVID MARTINEZ (8)

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CASE NO. 5:19-CR-23

**ORDER ADOPTING
THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**


The above-styled matter was referred to the Honorable Caroline Craven, United States Magistrate Judge, for administration of a guilty plea under Rule 11 of the Federal Rules of Criminal Procedure. Judge Craven conducted a hearing on October 7, 2021, in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and issued a Report and Recommendation (document #337). Judge Craven recommended that the Court accept Defendant's guilty plea and conditionally approve the plea agreement. She further recommended that the Court finally adjudge Defendant as guilty of Counts 1 and 2 of the Indictment. Count 1 of the Indictment charges a violation of 21 U.S.C. § 846, conspiracy to distribute and possession with intent to distribute a controlled substance. Count 2 of the Indictment charges a violation of 18 U.S.C. § 924(c)(1)(A), using or carrying a firearm during and in relation to and possessing a firearm in furtherance of a drug trafficking crime. The Court is of the opinion that the Report and Recommendation should be accepted. It is accordingly **ORDERED** that the Report and Recommendation of the United States Magistrate Judge (document #337) is **ADOPTED**. It is further

ORDERED that the Defendant's guilty plea is accepted and approved by the Court. Further, the plea agreement is approved by the Court, conditioned upon a review of the presentence report. It is finally

ORDERED that, pursuant to the Defendant's plea agreement, the Court finds the

Defendant **GUILTY** of Counts 1 and 2 of the Indictment in the above-numbered cause and enters a **JUDGMENT OF GUILTY** against the Defendant as to Counts 1 and 2 of the Indictment.

So ORDERED and SIGNED this 8th day of October, 2021.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE